

Austin, Texas,
April 4, 1939.

Hon. Coke R. Stevenson, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 57
carefully examined, compared and
read, and find same correctly en-
grossed.

LANNING, Chairman.

Communication

SEGRETARIA DI STATO
di Sva Santita

Dal Vaticano,
March 21, 1939.

Luigi Cardinal Maglione, Secretary
of State to His Holiness, has the hon-
or to acknowledge receipt of the reso-
lution of condolence passed by the
Senate of the State of Texas on the
death of the late lamented Pope Pius
XI of venerated memory.

The present gloriously reigning
Pontiff Pope Pius XII was deeply
touched by this mark of deferential
regard for His distinguished and be-
loved Predecessor, and He has been
graciously pleased to command that
an expression of His profound thanks
and appreciation be conveyed to the
Senate of the State of Texas.

Mr. Bob Barker, Secretary,
Senate of the State of Texas (Seal)

FORTY-SEVENTH DAY

(Thursday, April 6, 1939)

The Senate met at 10:00 o'clock
a. m., pursuant to adjournment, and
was called to order by President Pro
Tempore Moore.

The roll was called, and the follow-
ing Senators were present:

Aikin	Martin
Beck	Metcalfe
Brownlee	Moffett
Burns	Moore
Collie	Nelson
Cotten	Pace
Graves	Roberts
Hardin	Shivers
Isbell	Small
Kelley	Spears
Lanning	Stone
Lemens	of Galveston

Stone	Van Zandt
of Washington	Weinert
Sulak	Winfield

Absent—Excused

Head	Redditt
Hill	

A quorum was announced present.

The invocation was offered by the
Chaplain.

On motion of Senator Aikin and
by unanimous consent, the reading
of the Journal of the proceedings of
yesterday was dispensed with and
the Journal was approved.

Message from the House

A Clerk from the House was rec-
ognized to present the following
message:

Hall of the House of Representatives,
Austin, Texas,
April 6, 1939.

Hon. Coke R. Stevenson, President of
the Senate.

Sir: I am directed by the House
to inform the Senate that the House
has concurred in Senate Amendments
to H. C. R. No. 39 by a viva voce vote.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

Reports of Standing Committees

Senator Roberts submitted the fol-
lowing reports of the Committee on
Finance:

Austin, Texas,
April 5, 1939.

Hon. Coke R. Stevenson, President of
the Senate.

Sir: We, your Committee on Fi-
nance, to whom was referred

S. B. No. 44, A bill to be entitled
"An Act making an appropriation of
\$2,500.00, or so much thereof as may
be necessary, to pay a certain judg-
ment rendered on June 16, A. D. 1934,
in the 126th District Court of Travis
County, Texas, in Cause No. 52,100,
wherein Abilene Plumbing Supply
Company, Inc. (a corporation) is
plaintiff and the State of Texas and
the Board of Control of the State of
Texas are defendants (the cause being
captioned Standard Manufacturing
Company vs. Franklin Bros.), for the
principal sum of \$1,861.20, with inter-
est at the legal rate of six per cent
(6%) per annum from the date of

said judgment until paid, and all costs of suit, of which costs there is a balance due of \$64.95, which judgment was affirmed by the Court of Civil Appeals for the Third Supreme Judicial District of Texas and a writ of error dismissed by the Supreme Court, so that said judgment is now a final judgment for the full amount thereof principal, interest and costs against the State of Texas and the Board of Control and a valid judgment obligation of record, and declaring an emergency,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROBERTS, Chairman.

Austin, Texas,
April 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 347, A bill to be entitled "An Act authorizing the State Parks Board to acquire, build and construct parkways, roads, bridges and trails to park-sites on Buchanan and Inks Lakes in Burnet and Llano Counties; authorizing the Board to cooperate and match funds with other State and Federal agencies; making an appropriation to carry out the terms of this Act; and declaring an emergency,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendment and be printed.

ROBERTS, Chairman.

Austin, Texas,
April 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 316, A bill to be entitled "An Act making appropriation to defray the equitable portion which the State of Texas should make available to the United States Government, or its agencies, for completion of the water survey of the Rio Grande River and its watershed from Fort Quitman south to the mouth of the Rio Grande River; enacting provisions incident to

and relating to the subject; and declaring an emergency,"

Have had the same under consideration and I am instructed to report back to the Senate with recommendation that it do not pass but that the Committee Substitute do pass and be printed in lieu thereof.

ROBERTS, Chairman.

Senator Sulak submitted the following report of the Committee on Agriculture:

Austin, Texas,
April 5, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred

H. B. No. 526, A bill to be entitled "An Act authorizing the Commissioner of Agriculture of this State to establish and maintain quarantine regulations in order to prevent the introduction into or the spread within this State of pests and diseases for the protection of agricultural industry of this State; and to provide for the inspection of things and plants with reference to such quarantine; requiring persons to notify the Commissioner of Agriculture of the arrival of such things and plants against which a quarantine has been established and to hold them for inspection; and providing for the disposal of such infected things or plants by the Commissioner of Agriculture; and further providing the manner of declaring such quarantines; and providing for investigation by the Commissioner of Agriculture in order to determine the existence of such pests and diseases; and authorizing him to declare and enforce quarantine in order to prevent the spread thereof; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SULAK, Chairman.

Senate Bill 424 on First Reading

Senator Winfield moved that the rule relative to the introduction of bills after the first 60 days of the Regular Session of the Legislature be suspended to permit his introducing a general bill at this time.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Winfield:

S. B. No. 424, A bill to be entitled "An Act amending Article 6625 of the 1925 Revised Civil Statutes of Texas by adding thereto a new Article 6625a providing for the recording of certified copies of instruments effecting real estate which have been previously filed for record within the State of Texas or in counties other than those in which such real estate is located; and declaring an emergency."

Referred to Committee on Civil Jurisprudence.

House Bill 194 on Passage to Third Reading

(Unfinished Business)

The President Pro Tempore laid before the Senate, as unfinished business, on its passage to third reading (the bill having been read second time on yesterday):

H. B. No. 194, A bill to be entitled "An Act authorizing the State Board of Barber Examiners to approve agreements, fixing minimum prices for barber services and establishing opening and closing hours for barber shops; fixing territorial units for voting such agreements; providing for orders of the Board to remain in effect until replaced by new agreements; providing for the State Board to adopt and enforce rules and orders necessary to administer the Act; providing for the posting of rules or orders;

prohibiting the advertising of prices; providing for practice and procedure of the Board with respect to investigations; providing for treatment by the Board of violations of this Act; providing for the Board to administer the provisions of this Act; regulating barber schools or barber colleges; providing for fine or imprisonment for violation of the provisions of this Act; providing for the suspension or revocation of licenses by the Board; and providing for appeal from action of the Board; providing for the payment of expenses of administration of this Act; providing for fees for permits and placing such fees in a special enforcement fund; providing that the provisions of this Act shall be cumulative; providing a saving clause; repealing all laws in conflict herewith and declaring an emergency."

With the following (committee) amendments, offered by Senator Spears, pending:

(1)

Amend the caption by eliminating in lines three and four the following words: "and establishing opening and closing hours for barber shops."

(2)

Amend section three by eliminating in lines two and three the following words: "and agreements fixing opening and closing hours for barber shops."

(3)

Amend section four, lines five and six by eliminating the following words: "and agreements fixing opening and closing hours."

(4)

Amend section thirteen by eliminating in line three the following words: "or opening and closing hour agreements."

(5)

Amend section eighteen by eliminating in line two the following words: "or closing hours."

The (committee) amendments were adopted severally.

Senator Spears offered the following amendment to the bill:

Amend H. B. 194, page 2 line 10 by adding after the word "approve" the following:

"or disapprove"

The amendment was adopted.

Senator Spears offered the following amendment to the bill:

Amend H. B. 194, page 2 line 27 by adding after the word "Board," the following:

"notice shall likewise be mailed to each and every barber shop affected by said rule and/or order."

The amendment was adopted.

Senator Spears offered the following amendment to the bill:

Amend H. B. 194, page 2 line 54 by striking out the word "circuit" wherever it appears in bill and substitute the word "district."

The amendment was adopted.

Senator Spears offered the following amendments to the bill:

(1)

Amend H. B. 194, line 5 page 3 by adding after the words "District Court" the following: "in the county of the residence of the defendant."

(2)

Amend H. B. 194, Section 11, page 3, line 47 by adding after the words "Judge thereof in" the following: "Term time".

(3)

Amend H. B. 194, Section 11, page 3, lines 47 and 48 by striking out the following: "and three (3) days notice to the board".

(4)

Amend H. B. 194, page 3, line 54 by adding after the words "registered mail" the following: "return receipt demanded".

The amendments were adopted severally.

Senator Burns offered the following amendment to the bill:

Amend H. B. No. 194 by striking out Section 17 thereof and inserting a new Section 17 in lieu thereof to read as follows:

"Section 17. Nothing in this Act shall ever be construed as amending, modifying, suspending, or repealing any of the laws of this State defining and prohibiting trusts, monopolies, and conspiracies against trade, with particular reference to Chapter 3, Ti-

tle 19, Penal Code of this State and Title 126, Revised Civil Statutes of Texas, 1925; and should this Act in any manner conflict with or alter, repeal, change, modify or affect, or attempt to alter, repeal, change, modify or affect the above mentioned statutes or any sentence, section, clause, phrase or word thereof, this Act shall fall and be held for naught.

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend H. B. No. 194, page 3, line 6, by striking out the words: "threatening to violate".

The amendment was adopted.

On motion of Senator Spears, the caption was amended to conform to changes made in the body of the bill.

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

The bill was passed to third reading by the following vote:

Yeas—22

Aikin	Metcalf
Beck	Moffett
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Spears
Graves	Stone
Hardin	of Galveston
Isbell	Sulak
Kelley	Van Zandt
Lanning	Winfield
Lemens	

Nays—5

Martin	Stone
Shivers	of Washington
Small	Weinert

Absent—Excused

Head	Redditt
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Paired

Senator Moore (present), who would vote "nay" with Senator Hill (absent), who would vote "yea."

House Bill 194 on Third Reading

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 194 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Winfield

Nays—2

Small Weinert

Absent—Excused

Head Redditt
Hill

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21

Aikin	Moffett
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Spears
Graves	Stone
Hardin	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Winfield
Metcalfe	

Nays—5

Beck Van Zandt
Shivers Weinert
Small

Absent—Excused

Head

Paired

Senator Martin (present), who would vote "nay" with Senator Redditt (absent), who would vote "yea."

Senator Moore (present), who would vote "nay" with Senator Hill (absent), who would vote "yea."

Bill Re-referred

On motion of Senator Kelley, H. B. No. 240 was re-referred from the

Committee on State Affairs to the Committee on Education.

House Concurrent Resolution 41

The President Pro Tempore laid before the Senate for consideration at this time:

H. C. R. No. 41, Indorsing the plan for a great National Patriotic Revival, and authorizing and requesting the Governor to direct and arrange suitable observance of Flag Week.

The resolution was read and was adopted.

House Concurrent Resolution 42

The President Pro Tempore laid before the Senate for consideration at this time:

H. C. R. No. 42, Authorizing Ennis Miller to sue the State.

The resolution was read and was adopted.

Committee Substitute for House Concurrent Resolution 53

The President Pro Tempore laid before the Senate for consideration at this time:

C. S. for H. C. R. No. 53, Granting permission to S. W. Knox and his wife, Dora Knox, to bring suit against the State of Texas, and against the Highway Department of the State of Texas, in any Court of competent jurisdiction in Van Zandt County, Texas.

The resolution was read and was adopted.

House Concurrent Resolution 44

The President Pro Tempore laid before the Senate for consideration at this time:

H. C. R. No. 44, Granting Charley Prewett, et al., permission to sue the State.

The resolution was read and was adopted.

On motion of Senator Graves, the vote by which H. C. R. No. 44 was adopted was reconsidered.

On motion of Senator Graves, the resolution was tabled subject to call.

House Bill 336 on Second Reading

On motion of Senator Sulak, and by unanimous consent, the regular order

of business was suspended, to permit consideration of H. B. No. 336 at this time.

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 336, A bill to be entitled "An Act making an emergency appropriation to supplement an appropriation made by the Regular Session of the Forty-fifth Legislature for the fiscal year ending August 31, 1939, found on page 1368, Acts of the Regular Session of the Forty-fifth Legislature; said appropriation is to pay the salaries and other expenses of the inspection work incident to the eradication of the Pink Bollworm, under the provisions of Chapter 3, Title 4, Revised Civil Statutes of Texas, 1939, known as the Pink Bollworm Law, and amendments thereto, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 336 on Third Reading

Senator Sulak moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 336 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Moore	

Nays—1

Aikin

Absent—Excused

Head	Redditt
Hill	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Moore	

Nays—1

Aikin

Absent—Excused

Head	Redditt
Hill	

House Bill 343 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 343, A bill to be entitled "An Act to amend Article 2965, Title 50, Chapter 5, of the Revised Civil Statutes of Texas, of 1925, as amended by Acts of the Forty-first Legislature, 1929, page 248, Chapter 109, Section 2, as amended by the Acts of the Forty-first Legislature, 1929, First Called Session, page 111, Chapter 51, Section 2, providing for form of receipt for payment of poll tax; amending Article 2970, Title 50, Chapter 5, of the Revised Civil Statutes of Texas, of 1925, prescribing the number of poll tax books to be issued, the time of such issue, the character of books furnished, providing for duplicate copies of said books, prescribing the data to be placed in said books, providing for the manner of delivery of certificates from said books; amending Article 2975, Title 50, Chapter 5, of the Revised Civil Statutes of Texas, of 1925, prescribing and making it the duty of the tax collector to tabulate a list of voters, prescribing the time such duty shall be performed, prescribing the number of such lists and the mode and manner of issuing the same, prescribing for description of voter, his residence, his voting precinct, and the list of his residence in the State and county, prescribing the form of such

lists; defining offenses for violation of said Act and prescribing punishment therefor, and declaring an emergency."

The bill was read second time.

On motion of Senator Spears, the bill was tabled subject to call.

House Bill 516 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 516, A bill to be entitled "An Act to validate acts of city officials and proceedings of city governing bodies in borrowing money from the Reconstruction Finance Corporation or other agencies of the United States Government for the purpose of making repairs and extensions, or either, to a dam comprising part of a waterworks system; declaring money so borrowed with interest thereon, to be a legal obligation of such city or town payable from the revenues of its waterworks system, and declaring an emergency."

The bill was read second time.

On motion of Senator Small, the bill was tabled subject to call.

House Bill 413 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 413, A bill to be entitled "An Act providing that all Ordinances hereinafter enacted by Home Rule Cities in the State of Texas, organized and operating under the Home Rule Amendment to the Constitution of the State of Texas, and the provisions of Title 28, Chapter 13, of the Revised Civil Statutes of Texas, 1925, shall be published as provided in the charters of such cities, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Senator Moffett offered the following amendment to the bill:

Amend H. B. No. 413 by striking out period at close of Section 1, and adding thereto:

"Provided that if there is no provision in the Charter for the publica-

tion of such ordinances, then every ordinance passed by such Home Rule Cities prescribing penalties for the violation thereof shall, before the ordinance is finally passed, be published at least twice in the official newspaper of the city."

The amendment was adopted.

The bill was passed to third reading.

House Bill 413 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 413 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

On motion of Senator Moffett, and by unanimous consent, the caption was amended to conform to the body of the bill.

The bill was passed by the following vote:

Yeas—28

Aikin	Hardin
Beck	Isbell
Brownlee	Kelley
Burns	Lanning
Collie	Lemens
Cotten	Martin
Graves	Metcalf

Moffett	Stone
Moore	of Galveston
Nelson	Stone
Pace	of Washington
Roberts	Sulak
Shivers	Van Zandt
Small	Weinert
Spears	Winfield

Absent—Excused

Head	Redditt
Hill	

Committee Substitute for House Bill 517 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

C. S. H. B. No. 517, A bill to be entitled "An Act amending S. B. No. 514, Chapter 101, page 140 of the Special Laws of the Regular Session of the Forty-third Legislature, 1933, eliminating certain counties from the provisions of said Act, and declaring an emergency."

The bill was read second time and was passed to third reading.

Committee Substitute House Bill 517 on Third Reading

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 517 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

Relative to Consideration of Senate Bills 32 and 141

Senator Small submitted the following motion in writing and asked unanimous consent that it be considered at this time:

"Mr. President: I move to reform the Senate calendar by exchanging places of Senate Bill 141 and Senate Bill 32 so that Senate Bill 32 will appear where Senate Bill 141 now appears and Senate Bill 141 will appear where Senate Bill 32 appears."

(Senator Roberts in the Chair.)

Senator Moore objected to consideration of the motion at this time.

Senator Small then was permitted to withdraw the motion.

Committee Substitute for Senate Joint Resolution 12 on Passage to Engrossment

Senator Weinert called from the table, on its passage to engrossment (the resolution having been read second time on Tuesday, March 21, 1939, and having been tabled subject to call on yesterday):

Committee Substitute S. J. R. No. 12, A Joint Resolution, Proposing an amendment to Article 3 of the Constitution of the State of Texas by adding thereto a section to be known as Section 51-E, the purpose of which is to provide for the assessment and collection of a Social Security Tax, etc.

The Presiding Officer laid the resolution before the Senate on its passage to engrossment.

Question—Shall the resolution be passed to engrossment?

The resolution was passed to engrossment by the following vote:

Yeas—21

Aikin	Nelson
Beck	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Washington
Kelley	Van Zandt
Martin	Weinert
Moffett	Winfield

Nays—5

Lanning	Stone
Lemens	of Galveston
Metcalf	Sulak

Present—Not Voting

Brownlee

Absent—Excused

Head	Hill
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Paired

Senator Moore (present), who would vote "nay" with Senator Redditt (absent), who would vote "yea."

(President Pro Tempore in the Chair.)

House Bill 57 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 57, A bill to be entitled "An Act granting permission to Victor Alexander Surber to bring suit against the State of Texas and/or Highway Department in a court of competent jurisdiction, for damages for personal injuries received by him while on duty in the employ of the Highway Department of the State of Texas, and which injuries are alleged to have produced damages to the said Victor Alexander Surber; providing that any judgment so recovered to be paid out of the funds of the Highway Department of the State of Texas; providing that if any provisions of this Act shall be invalid, the validity of the other provisions

thereof shall not be affected, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 57 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 57 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

House Bill 516 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 516, A bill to be entitled "An Act to validate acts of city officials and proceedings of city governing bodies in borrowing money from the Reconstruction Finance Corporation or other agencies of the United States Government for the purpose of making repairs and extensions, or either, to a dam comprising part of a waterworks system; declaring money so borrowed with interest thereon, to be a legal obligation of such city or town payable from the revenues of its waterworks system; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 516 on Third Reading

Senator Cotten moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 516 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Nelson
Beck	Pace
Brownlee	Roberts
Burns	Shivers
Collie	Small
Cotten	Spears
Graves	Stone
Hardin	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Nays—1

Moore

Absent—Excused

Head	Redditt
Hill	

House Bill 230 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 230, A bill to be entitled "An Act repealing Chapter 21 of the Laws of the Forty-fourth Legislature, Regular Session, being House Bill No. 874, pages 1185 and 1186 of the General and Special Laws of the Forty-fourth Legislature, Regular Session, and declaring an emergency."

The bill was read second time.

On motion of Senator Stone of Washington, the bill was tabled subject to call.

House Bill 797 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 797, A bill to be entitled "An Act creating a Special Road Law for Zapata County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of January 1, 1939, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the Commissioners' Court of said County, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of General Laws on the

subject of roads and bridges and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 797 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 797 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

House Bill 230 on Passage to Third Reading

Senator Stone of Washington called H. B. No. 230 from the table, on its passage to third reading (the bill having been read second time and tabled subject to call on today).

The President Pro Tempore laid the bill before the Senate, on its passage to third reading.

The bill then was passed to third reading.

House Bill 230 on Third Reading

Senator Stone of Washington moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 230 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Cotten
Beck	Graves
Brownlee	Hardin
Burns	Isbell
Collie	Kelley

Lanning	Small
Lemens	Spears
Martin	Stone
Metcalf	of Galveston
Moffett	Stone
Moore	of Washington
Nelson	Sulak
Pace	Van Zandt
Roberts	Weinert
Shivers	Winfield

Absent—Excused

Head	Redditt
Hill	

House Bill 429 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 429, A bill to be entitled "An Act to create a more efficient road law for Cameron County, Texas, providing for the cancellation, without the prerequisite of an election, of certain bonds heretofore voted, prescribing the method of accomplishing said cancellation, providing that this law shall take precedence over other laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 429 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 429 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

House Bill 310 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 310, A bill to be entitled "An Act amending S. B. No. 170, Chapter 253, Acts of the Forty-second Legislature, Regular Session, pages 420-421, being Article 6203e of the Revised Civil Statutes of the State of Texas, providing for the establishment of the State Prison Psychopathic Hospital as a part of the Prison System of the State of Texas, and providing who may be committed thereto, and providing for the commitment to said institution of certain dangerous insane patients in the State Hospitals, providing a saving clause, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 310 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 310 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22

Aikin	Pace
Burns	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Metcalfe	Sulak
Moffett	Van Zandt
Moore	Winfield

Nays—2

Beck	Brownlee
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Absent

Collie	Nelson
Martin	Weinert

Absent—Excused

Head	Redditt
Hill	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21

Aikin	Pace
Burns	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Metcalfe	Sulak
Moore	Van Zandt
Nelson	Winfield

Nays—3

Beck	Small
Brownlee	

Absent

Collie	Moffett
Martin	Weinert

Absent—Excused

Head	Redditt
Hill	

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives.
Austin, Texas, April 6, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to H. B. No. 74 by a vote of 103 ayes and 20 nays.

The House has concurred in Senate amendments to H. B. No. 414 by a vote of 118 yeas and 1 no.

The House has concurred in Senate amendments to H. B. No. 807 by a vote of 123 yeas and 0 noes.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

House Bill 472 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 472, A bill to be entitled "An Act establishing a County Law Library in each county in this State having an area of not less than one thousand, one hundred and thirty (1,130) and not more than one thousand, five hundred (1,500) square miles, and with a population according to the last Federal Census of not less than eleven thousand, three hundred (11,300) and not more than twelve thousand, five hundred (12,500), and whose County Seat is in a city having a population of not less than two thousand, two hundred (2,200) and not more than three thousand (3,000) according to the last Federal Census; providing a fund to be administered by the Commissioners' Court of such counties, and to be raised by collecting One Dollar (\$1.00) as cost in each case filed in the District and County Courts to such counties, except such fee shall not be collected or charged in delinquent tax suits, but shall include all civil and criminal cases filed on the dockets of the respective courts as hereinabove set out, providing however that the County shall in no event be liable for any cost in any civil or

criminal case; providing for a custodian, a librarian and salaries therefor; providing for housing and management; providing this Act shall not affect any other law now in effect with respect to any other County, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 472 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 472 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

House Bill 438 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 438, A bill to be entitled "An Act authorizing the County Judge to employ a stenographer or clerk in any county having a population of not more than ten thousand, four hundred and ninety-nine (10,499), and not less than ten thousand three hundred and ninety-nine (10,399) inhabitants, according to the last preceding census; making salary of same; providing for payment of salary; providing for removal, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 438 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 438 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

House Bill 450 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 450, A bill to be entitled "An Act to amend Article 5922 of the Revised Civil Statutes of Texas, 1925, with reference to the petition and hearing for the removal of disabilities of minors, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 450 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 450 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Head	Redditt
Hill	

Recess

Senator Roberts moved that the Senate recess to 2:00 o'clock p. m. today.

Senator Martin moved that the Senate adjourn until 10 o'clock a. m. Monday, April 10, 1939.

• Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—10

Brownlee	Moffett
Graves	Pace
Isbell	Spears
Martin	Weinert
Metcalf	Winfield

Nays—18

Aikin	Lemens
Beck	Moore
Burns	Nelson
Collie	Roberts
Cotten	Shivers
Hardin	Small
Kelley	Stone
Lanning	of Galveston

Stone
of Washington

Sulak
Van Zandt

Absent—Excused

Head
Hill

Redditt

The motion to recess prevailed; and the Senate, accordingly, at 12:15 o'clock p. m., took recess to 2:00 o'clock p. m. today.

Afternoon Session

The Senate met at 2:00 o'clock p. m. and was called to order by the President Pro Tempore.

Reports of Standing Committees

Senator Hardin, by unanimous consent, submitted at this time the following reports of the Committee on Counties and County Boundaries:

Austin, Texas,
April 6, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 484, A bill to be entitled "An Act to amend Article 2687, Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-fifth Legislature, 1937, Regular Session, page 644, Chapter 315, Section 1, as amended by Acts of the Forty-fifth Legislature, 1937, Regular Session, page 204, Chapter 108, Section 1, as amended by Acts of the Forty-fifth Legislature, 1937, Regular Session, page 795, Chapter 389, Section 1, by adding a new Section to be known as Article 2687e, prescribing the time of meeting of the County Board of School Trustees in counties containing a population of not less than thirty-seven thousand, five hundred (37,500) and not more than thirty-eight thousand, six hundred (38,600), according to the last preceding Federal Census and each succeeding Federal Census; providing for their compensation; providing the fund from which same shall be paid; providing this Act shall be cumulative of all existing laws on this subject but this Act shall apply where in conflict therewith; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

HARDIN, Chairman.

Austin, Texas,
April 6, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 461, A bill to be entitled "An Act providing for the amount of salary that may be paid by County Boards of Trustees to the County Superintendent of Public Instruction in counties with a population of not less than eighteen thousand, seven hundred and sixty (18,760) and not more than eighteen thousand, nine hundred and sixty (18,960), according to the last preceding Federal Census; repealing all laws or parts of laws in conflict herewith; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Senator Weinert, by unanimous consent, submitted at this time the following reports of the Committee on State Affairs:

Austin, Texas,
April 6, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: we, your Committee on State Affairs, to whom was referred

S. B. No. 416 by Moore, A bill to be entitled "An Act granting Dorothy Worsham of Houston, Harris County, Texas, et al., permission to sue the State of Texas" etc.,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,
April 6, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 53 by Weldon, Granting permission to S. W. Knox and his wife, Dora Knox, to bring suit against the State of Texas and against the Highway Department of the State of Texas,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute attached hereto do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,
April 6, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 73 by Coleman, Authorizing R. O. Drake to bring suit against the State Highway Department,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Committee Substitute for House Bill 5 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

C. S. for H. B. No. 5, A bill to be entitled "An Act amending Article 4100, Title 68, of the Revised Civil Statutes of the State of Texas; providing a maximum amount allowable as compensation to a garnishee; making this Act and amendment of said Article 4100 applicable to pending as well as future suits and proceedings, and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to third reading?

Yeas and nays were demanded, and the bill was passed to third reading by the following vote:

Yeas—14

Aikin	Roberts
Brownlee	Small
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Metcalfe	of Washington
Moffett	Sulak
Nelson	Van Zandt

Nays—8

Beck	Moore
Burns	Pace
Cotten	Shivers
Hardin	Weinert

Present—Not Voting

Collie

Absent

Graves	Martin
Lemens	Winfield

Absent—Excused

Head	Redditt
Hill	Spears

Committee Substitute for House Bill 5 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 5 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—18

Aikin	Nelson
Brownlee	Roberts
Burns	Shivers
Hardin	Small
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Metcalfe	of Washington
Moffett	Sulak
Moore	Van Zandt

Nays—2

Beck	Cotten
------	--------

Present—Not Voting

Collie	Pace
--------	------

Absent

Graves	Weinert
Lemens	Winfield
Martin	

Absent—Excused

Head	Redditt
Hill	Spears

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

On motion of Senator Kelley, the bill was tabled subject to call.

Leaves of Absence Granted

Senator Winfield and Senator Martin were granted leave of absence for the remainder of today on account of important business, on motion of Senator Metcalfe.

Senator Spears was granted leave of absence for the remainder of today on account of important business, on motion of Senator Stone of Galveston.

House Bill 617 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 617, A bill to be entitled "An Act to amend Chapter 83, S. B. No. 179, of the General Laws passed by the Forty-first Legislature of the State of Texas at its Second Called Session, as amended by H. B. No. 291, Chapter 244, of the General Laws, passed by the Forty-fifth Legislature of Texas at its Regular Session by providing in Section 4 of said Act that credit for three (3) hours of military science as provided in an approved senior R.O.T.C. unit may be substituted for three hours of government as specified in the Act, and declaring an emergency."

The bill was read second time.

Senator Brownlee offered the following amendment to the bill:

Amend H. B. 617, Sec. 1, by striking out the period at the end of said section and inserting in lieu thereof the following:

"or in technical courses approved by the governing board of the institution granting the degree."

Senator Van Zandt moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—16

Aikin	Metcalfe
Beck	Moffett
Cotten	Nelson
Hardin	Pace
Isbell	Roberts
Kelley	Shivers
Lanning	Sulak
Lemens	Van Zandt

Nays—6

Brownlee	Moore
Burns	Stone
Collie	of Galveston
Graves	

Present—Not Voting

Small	Stone
	of Washington

Absent

Weinert

Absent—Excused

Head	Redditt
Hill	Spears
Martin	Winfield

The bill then was passed to third reading.

House Bill 617 on Third Reading

Senator Stone of Washington moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 617 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Aikin	Nelson
Beck	Roberts
Burns	Shivers
Collie	Small
Graves	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Metcalfe	Van Zandt
Moffett	Weinert
Moore	

Nays—4

Brownlee	Hardin
Cotten	Pace

Absent—Excused

Head	Redditt
Hill	Spears
Martin	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Committee Substitute for House Bill 5
on Final Passage**

Senator Kelley called from the table, on its final passage (the bill having been read third time and tabled subject to call on today).

Senator Shivers offered the following amendment to the bill:

Amend House Bill No. 5 line 39 of printed bill by adding thereto the following:

"if the value of the property held by the garnishee does not exceed \$2,500.00"

Amend the caption to conform.

The amendment was adopted.

The bill was passed.

House Bill 158 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 158, A bill to be entitled "An Act to amend Article 3336, Title 54, of the Revised Civil Statutes of the State of Texas, Revision of 1925 as amended, validating the acts of probate courts in certain cases, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 158 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 158 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Stone
Hardin	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	

Absent—Excused

Head	Redditt
Hill	Spears
Martin	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 745 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 745, A bill to be entitled "An Act amending Article 7047 (6) of the Acts, First Called Session, 1897; page 49; Acts, 1931, Forty-second Legislature, page 355, Chapter 212, Section 1, [relating to license fees on auctioneers] and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 745 on Third Reading

Senator Small moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 745 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Stone
Hardin	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	

Absent—Excused

Head	Redditt
Hill	Spears
Martin	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Stone
Hardin	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	

Absent—Excused

Head	Redditt
Hill	Spears
Martin	Winfield

House Bill 613 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 613, A bill to be entitled "An Act amending Sections 8 and 21, Chapter 41 of the Acts of the Fortieth Legislature, First Called Session, so as to require physical marks of identification in deaths of non-resident sons, also finger prints of the deceased; and so as to require the State Registrar to enter into an agreement with the Bureau of the Census for the franking privileges, and the blanks furnished by the United States Census Bureau, and that the transcripts made for the United States Census Bureau be made under the direction of the State Registrar, and for the issuance of photostatic copies to service men, their widows and orphans free of cost, and declaring an emergency."

The bill was read second time.

On motion of Senator Graves, the bill was tabled subject to call.

House Bill 444 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 444, A bill to be entitled "An Act to be entitled an amendment to Section 1, Article 306, Fur Bearing Animal Laws as passed by Acts of Regular Session, Forty-fifth Legislature [applying to Hunt and Denton Counties]."

The bill was read second time and was passed to third reading.

House Bill 444 on Third Reading

Senator Isbell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 444 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Stone
Hardin	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	

Absent—Excused

Head	Redditt
Hill	Spears
Martin	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 142 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 142, A bill to be entitled "An Act providing that persons, firms, or corporations, who operate or conduct hotels, cafes, restaurants, dining cars, or other public eating places, bakeries, and meat markets in this State, shall not work, employ or keep in their employ any person who is infected with or affected by any infectious or contagious disease; and further providing that such persons, firms, or corporations or common carriers, operating or conducting any public eating place heretofore named or operating any bakery, or meat market, public dairy or dairies, of manufacturers of and vendors of candies or manufactured sweets, shall have made

a medical inspection of all their employees at intervals of not more than six (6) months, and if such examination discloses the fact that any person in their employment is infected with or affected by any infectious or contagious disease, that such person shall be promptly discharged from such employment; providing it shall be unlawful for manufacturers or vendors of candies and manufactured sweets to consign, sell or furnish in any way said candies and manufactured sweets to individuals for the purpose of resale at their private residences who do not display valid health certificates for each member of the household and sanitary display show-cases; etc., and declaring an emergency."

The bill was read second time.

Senator Pace offered the following (committee) amendments to the bill:

(1)

Amend H. B. No. 142 by striking (Sec. 2) Section 2 and inserting in lieu thereof the following:

Be it enacted by the Legislature of the State of Texas.

Section 1. That H. B. No. 646, Acts of the Forty-fifth Legislature be amended so as to read as follows:

Section 2. No person, firm, corporation, common carrier or association operating, managing, or conducting any hotel or any other public sleeping or eating place, or any place or vehicle where food or drink or containers therefor, of any kind, is manufactured, transferred, prepared, stored, packed, served, sold, or otherwise handled in this State, or any manufacturer or vendor of candies or manufactured sweets shall work, employ, or keep in their employ, in, on, or about any said place or vehicle, or have deliver any article therefrom, any person infected with any transmissible condition of any infectious or contagious disease, or work, or employ any person to work in, on, or about any said place, or to deliver any article therefrom, who, at the time of his or her employment, failed to deliver to the employer or his agent, a certificate signed by a legally licensed physician, residing in the county where said person is to be employed, or is employed, attesting the fact that the bearer had been actually and thoroughly examined by such physician within a week prior to the time of such employment, and that such

examination disclosed the fact that such person to be employed was free from any transmissible condition of any infectious or contagious disease; or fail to institute and have made, at intervals of time not exceeding six months, actual and thorough examinations, essential to the findings of freedom from communicable and infectious diseases, of all such employees, by a legally licensed physician residing in the county where said person is employed, and secure in evidence thereof a certificate signed by such physician stating that such examination had been made of such person, disclosing the fact that he or she was free from any transmissible condition of any communicable and infectious diseases.

(3)

Amend H. B. No. 142 by adding the following section thereto:

Section 3. All health certificates called for by this Act shall be displayed for public inspection at the place where the person named thereon is employed, and shall not be removed from such place during the continuance of such employment except by a public health officer, his duly appointed agent, or upon valid court order. All such certificates shall bear the employee's signature, the name of the physician executing examinations and tests, and shall describe the color of eyes, and hair, height, weight, race, sex, age, and date of issuance, and shall be valid for six months only. Public health departments, and local lawmaking bodies, are hereby authorized to establish such further rules, regulations and ordinances as they may deem essential to the execution of the intentions of this Act; providing however, that all conditions of this Act shall be requisite to all such regulations and ordinances, except, the said authorities may adopt a plan for the registration of the physician's certificates required by this Act and in lieu thereof issue a registration card to show that the person named thereon has complied with all of the provisions of this Act; providing further that the said registration card must bear the signature of the person named thereon and shall be displayed for public inspection at the place where such a person is employed.

(4)

Amend House Bill No. 142 by adding the following section thereto:

Section 4. The failure of any person, firm, corporation, or association engaged in any of the businesses described in this act, to display at the place where any of the operations of such businesses are being conducted, a valid health or registration certificate, as required by this act, for each person employed in, on, or about such place, shall be prima facie evidence that the said person, firm, corporation, or association, in violation of requirements called for by Section 2 of this act, failed to require the exhibition of the pre-employment health certificate, of such person and failed to institute and have made of such person, actual and thorough examinations necessary to the findings of freedom from communicable diseases at intervals of time not exceeding six months.

(5)

Amend House Bill No. 142 by striking out Committee Amendment No. 2 and insert in lieu thereof the following:

Section 5. Whoever violates any provision of this Act shall be fined in an amount not exceeding two hundred dollars (\$200.00). Each act or omission in violation of any of the provisions of this article shall constitute a separate offense and shall be punishable as herein above described.

(6)

Amend House Bill No. 142 by adding the following section thereto:

Section 10. If any provision, section or part of this Act is declared unconstitutional or held invalid, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of the Act and the application thereof to the persons and other circumstances shall not be affected thereby, and to this end the provisions of this Act are declared to be severable.

(7)

Amend Section 4 of House Bill No. 142 so as to hereafter read:

Section 9. (a) Article 705-C, Title 12, Chapter 1, Revised Criminal Statutes of Texas, of 1925, and all laws and parts of laws in conflict herewith are hereby repealed. (b) Provided that nothing in this Section or in the

Title of this Act, or in any section of this Act shall be construed to preclude the prosecution of any person, corporation, or association, or persons for acts or omissions in violation of any of the provisions repealed by this Section where such acts or omissions take place prior to time of repeal of such provision by this section.

(2)

Amend House Bill No. 142 by striking out all above the enacting clause and inserting in lieu thereof the following:

A BILL TO BE ENTITLED

An Act providing that persons, firms, corporations or associations who operate or conduct hotels or any public sleeping or eating place, or any place or vehicle where food or drink or containers therefor, of any kind, is manufactured, transferred, prepared, stored, packed, served, sold or otherwise handled in this State, shall not work, employ or keep in their employ, directly or indirectly, in, on, or about any said place or vehicle, any person who is infected with any transmissible condition of any infectious or contagious disease providing that all employees shall be actually examined by a legally licensed physician within one week prior to the time of employment providing that actual examinations shall be made, by legally licensed physicians, of all employees at intervals of time not exceeding six months; providing that persons who prepare, for the purpose of sale, food or drink of any kind, and any vendor of foods or drink, shall submit to examinations; providing further, that it shall be unlawful for manufacturers or vendors of candy or manufactured sweets, to knowingly consign, sell or furnish such products to individuals for the purpose of resale at or from their private residences, who do not have sanitary storage or show cases for the purpose of protecting the said products from all unsanitary conditions, and who do not display valid health certificates issued by a legally licensed physician residing in the county where the said employee, consignee or persons securing the said products is conducting his business, to show that each person living or working

in such private residence has been actually examined by the said physician and that each was found free of all infectious and contagious diseases; providing that no person shall, for the purpose of resale, deliver such candies or manufactured sweets to a private residence without first ascertaining that valid health certificates have been issued each person living or working therein and that a sanitary show case or storage container is provided for the protection of all such articles; providing for certain requisites to all health certificates providing for the display thereof; granting certain authorities the right to establish certain rules, regulations, and ordinances; providing that any employer's failure to display at place of business valid health certificates for each person employed shall constitute prima facie evidence that examinations were not required of such employees; repealing Article 705, Title —, Chapter —, Revised Criminal Statutes of the State of Texas, saving to the State the right to prosecute for violations prior to repeal; providing that if any particular section or portion of this Act is held unconstitutional or inoperative, such shall not effect any other section or portion of this Act and declaring certain legislative intent, and declaring an emergency.

The (committee) amendments were adopted severally.

The bill was passed to third reading.

House Bill No. 613 on Passage to Third Reading

Senator Aikin called H. B. No. 613 from the table, on its passage to third reading (the bill having been read second time and tabled subject to call on today).

The President Pro Tempore laid the bill before the Senate, on its passage to third reading.

Senator Aikin offered the following amendment to the bill:

Amend H. B. No. 613, page 4, Section 2, by adding at the end thereof the following:

"Provided that the State Registrar may issue, upon court order, without fee, a certified copy of the birth certificate in cases relating to child labor, and the public schools."

The amendment was adopted.

Senator Roberts offered the following amendment to the bill:

Amend H. B. No. 613 by adding after the word "act" in the third sentence of Section 2, the following: "but in no event can the funds be used unless they are appropriated by the Legislature in itemized form."

The amendment was adopted.

The bill was passed to third reading.

House Bill 613 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 613 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Stone
Hardin	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	

Absent—Excused

Head	Redditt
Hill	Spears
Martin	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Roberts
Graves	Shivers
Hardin	Small
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington

Sulak
Van Zandt

Weinert

Absent—Excused

Head	Redditt
Hill	Spears
Martin	Winfield

House Bill 718 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 718, A bill to be entitled "An Act to amend Article 3740 of Title 55 of the Revised Civil Statutes of Texas of 1925, relating to notice by publication in the taking of depositions of witnesses in civil cases, and declaring an emergency."

The bill was read second time.

Senator Van Zandt offered the following amendment to the bill:

Amend H. B. No. 718 by striking therefrom Section 2 and renumber the subsequent sections accordingly, and amend caption to conform.

The amendment was adopted.

The bill was passed to third reading.

House Bill 718 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 718 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Stone
Hardin	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	

Absent—Excused

Head	Redditt
Hill	Spears
Martin	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 381 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 381, A bill to be entitled "An Act amending Article 200, Title 6, Chapter 2, of the Penal code of the State of Texas, 1925, making it unlawful to give out any poll tax receipt or certificate of exemption in blank, to issue any poll tax receipt, or certificate of exemption in blank, or to deliver any poll tax receipt or certificate of exemption to any fictitious person, fixing a penalty therefor, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 381 on Third Reading

Senator Roberts moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 381 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Stone
Hardin	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	

Absent—Excused

Head	Redditt
Hill	Spears
Martin	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Bill and Resolutions Signed

The President signed, in the presence of the Senate, after their captions had been read, the following enrolled bill and resolutions:

S. C. R. No. 32, Suspending Joint rules prohibiting consideration of Senate bills in the Senate on House bill days.

H. C. R. No. 39, Granting Mrs. Lourene Woodruff, of Karnes City, Karnes County, Texas, permission to sue the State of Texas.

H. B. No. 339, "An Act providing for a closed season on deer and wild turkey in Bastrop County for a period of five years; providing a suitable penalty for violation of this Act; repealing all conflicting laws, and declaring an emergency."

House Bill 343 on Passage to Third Reading

Senator Roberts called H. B. No. 343 from the table, on its passage to third reading (the bill having been read second time and tabled subject to call on today).

The President Pro Tempore laid the bill before the Senate on its passage to third reading.

The bill was passed to third reading.

House Bill 343 on Third Reading

Senator Roberts moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 343 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Stone
Hardin	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	

Absent—Excused

Head	Redditt
Hill	Spears
Martin	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 269 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 269, A bill to be entitled "An Act to amend Article 5517 of Title 91 of the Revised Civil Statutes, 1925, of the State of Texas, so as to provide that the right of the State shall not be barred by any of the provisions of this title, and to provide that no person shall ever acquire, by occupancy or adverse possession, any right or title to any part or portion of any road, street, alley, sidewalk or grounds belonging to any town, city or county, or which has been donated or dedicated for public use in any such town, city or county by the owner thereof, or which has been laid out or dedicated in any manner to public use in any town, city or county in this State, and declaring an emergency."

The bill was read second time.

(Senator Roberts in the Chair.)

The bill was passed to third reading.

House Bill 269 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 269 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Stone
Hardin	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	

Absent—Excused

Head	Redditt
Hill	Spears
Martin	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 17 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 17, A bill to be entitled "An Act providing a title for the Act; providing the definition of certain words, terms and phrases; providing certain exemptions; providing any one act prohibited herein shall be a violation hereof; providing for the administration of the Act; providing certain procedure for securing real estate dealers' and real estate salesmen's licenses and for certain information to be supplied by applicant and requiring the recommendation of the applicant by three real estate owners; providing a partnership, association or corporation licensed under the Act can designate one of its members or officers to be licensed as a real estate dealer without additional charge and imposing certain restrictions; providing any member of partnership or officer of association or corporation not designated required to be licensed before acting as a real estate dealer and imposing certain restrictions, etc., and declaring an emergency."

The bill was read second time.

On motion of Senator Small, the bill was tabled subject to call.

(President Pro Tempore in the Chair.)

House Bill 566 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 566, A bill to be entitled "An Act authorizing persons residing in County Line School Districts and who are otherwise qualified voters to vote for County School Trustees of the county having management and control of such County Line School District, even though such voters reside in that portion of the County Line District lying outside of the county

having management and control of the County Line District; repealing all laws and parts of laws in conflict herewith to the extent of such conflict, and declaring an emergency."

On motion of Senator Nelson, the bill was tabled subject to call.

House Bill 431 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 431, A bill to be entitled "An Act providing pay for County Board members of certain counties and limiting the number of sessions to be paid for, and declaring an emergency."

The bill was read second time.

On motion of Senator Aikin, the bill was tabled subject to call.

House Bill 685 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 685, A bill to be entitled "An Act to amend Section 22, Acts, 1935, Forty-fourth Legislature, First Called Session, page 1660, Chapter 427, creating the Nueces River Conservation and Reclamation District, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 685 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 685 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Martin
Beck	Metcalfe
Brownlee	Moffett
Burns	Moore
Collie	Nelson
Cotten	Pace
Graves	Roberts
Hardin	Shivers
Isbell	Small
Kelley	Stone
Lanning	of Galveston
Lemens	

Stone
of Washington
Sulak

Van Zandt
Weinert

Absent—Excused

Head
Hill
Redditt

Spears
Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin
Beck
Brownlee
Burns
Collie
Cotten
Graves
Hardin
Isbell
Kelley
Lanning
Lemens
Martin
Metcalf

Moffett
Moore
Nelson
Pace
Roberts
Shivers
Small
Stone
of Galveston
Stone
of Washington
Sulak
Van Zandt
Weinert

Absent—Excused

Head
Hill
Redditt

Spears
Winfield

House Bill 813 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 813, A bill to be entitled "An Act making it unlawful to hunt, shoot or kill any deer for a period of five years in Somervell County, Texas; fixing a penalty; repealing all laws or parts of laws in conflict herewith in so far as they apply to Somervell County, and declaring an emergency."

The bill was read second time.

Senator Pace offered the following amendment to the bill:

Amend the bill by adding the Counties of Wood and Upshur, and amend the caption to conform.

The amendment was adopted.

The bill was passed to third reading.

House Bill 813 on Third Reading

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 813 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin
Beck
Brownlee
Burns
Collie
Cotten
Graves
Hardin
Isbell
Kelley
Lanning
Lemens
Martin
Metcalf

Moffett
Moore
Nelson
Pace
Roberts
Shivers
Small
Stone
of Galveston
Stone
of Washington
Sulak
Van Zandt
Weinert

Absent—Excused

Head
Hill
Redditt

Spears
Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 812 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 812, A bill to be entitled "An Act providing the amount of traveling and office expenses that shall be allowed by the County Board of Trustees to the County Superintendent of Public Instruction for the expenditures for traveling and office expenses in certain counties, according to the last preceding Federal Census or any subsequent Federal Census; repealing all laws and parts of laws in conflict herewith to the extent of the conflict only, and declaring an emergency."

The bill was read second time.

On motion of Senator Kelley, the bill was tabled subject to call.

House Bill 566 on Passage to Third Reading

Senator Burns called H. B. No. 566 from the table, on its passage to third reading (the bill having been read second time and tabled subject to call on today).

The bill was passed to third reading.

House Bill 426 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 426, A bill to be entitled "An Act making appropriations to pay deficiency appropriations granted by the Governor during the fiscal years beginning September 1, 1936 and ending August 31, 1938, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 426 on Third Reading

Senator Roberts moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 426 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert

Absent—Excused

Head	Spears
Hill	Winfield
Redditt	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Roberts
Graves	Shivers
Hardin	Small
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Martin	Sulak
Metcalf	Van Zandt
Moffett	Weinert

Nays—2

Collie	Cotten
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Absent—Excused

Head	Spears
Hill	Winfield
Redditt	

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, April 6, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House Bill No. 674 by a vote of 124 yeas, 0 noes.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

House Bill 812 on Passage to Third Reading

Senator Kelley called H. B. No. 812 from the table, on its passage to third reading (the bill having been read second time and tabled subject to call on today).

The President Pro Tempore laid the bill before the Senate.

Senator Nelson offered the following amendment to the bill:

Amend H. B. No. 812 by adding in Section 1 after the figures "13,400" the following: "and in all counties having a population of not less than five thousand one hundred and eighty (5,180) and not more than five thousand one hundred and ninety (5,190)"

The amendment was adopted.

The bill was passed to third reading.

House Bill 812 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 812 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert

Absent—Excused

Head	Spears
Hill	Winfield
Redditt	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert

Absent—Excused

Head	Spears
Hill	Winfield
Redditt	

House Bill 720 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 720, A bill to be entitled "An Act to amend Article 4595, Title

73 of the Revised Civil Statutes of Texas, 1925, relating to sales to satisfy liens of hotel and boarding house proprietors and innkeepers, and declaring an emergency."

The bill was read second time.

Senator Van Zandt offered the following amendment to the bill:

Amend the bill by striking out all of Section 2, and amend caption accordingly.

The amendment was adopted.

The bill was passed to third reading.

House Bill 720 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 720 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert

Absent—Excused

Head	Spears
Hill	Winfield
Redditt	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Committee Substitute for House Bill 683 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

C. S. for H. B. No. 683, A bill to be entitled "An Act defining a Commercial Fisherman; providing for a li-

cense for any person, firm or corporation operating as such; providing for the issuance of non-residence licenses; defining the coastal waters over which the State of Texas has jurisdiction; providing for a penalty; providing for the enforcement of this Act, and declaring an emergency and effective date of this Act."

The bill was read second time and was passed to third reading.

Committee Substitute for House Bill 683 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 683 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—25

Aikin	Martin
Beck	Metcalf
Brownlee	Moffett
Burns	Moore
Collie	Nelson
Cotten	Pace
Graves	Roberts
Hardin	Shivers
Isbell	Small
Kelley	Stone
Lanning	of Galveston
Lemens	

Stone of Washington	Sulak Van Zandt
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Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield

Senate Bill 425 on First Reading

Senator Shivers moved that the rule relative to the introduction of bills after the first forty-five days of a regular session of the Legislature be suspended to permit his introducing a general bill.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert

Absent—Excused

Head	Spears
Hill	Winfield
Redditt	

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Shivers:

S. B. No. 425, A bill to be entitled "An Act amending Article 2940, Chapter 3, Title 50 of the Revised Civil Statutes of 1925 so as to provide that no one shall act as chairman or as member of any District, County or City Executive Committee, who has not paid his poll tax, or who holds any office of profit or trust in either the United States or this State, or in any city or town in this State; omitting the State or National Executive Committees; repealing all laws in conflict; and declaring an emergency."

Referred to Committee on Privileges and Elections.

House Bill 719 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 719, A bill to be entitled "An Act to amend Article 6085 of Title 104 of the Revised Civil Statutes of Texas of 1925, relating to the publication of citation where defendant is unknown, and declaring an emergency."

The bill was read second time.

Senator Van Zandt offered the following (committee) amendment to the bill:

Amend House Bill No. 719 by striking out all of Section 2 thereof.

The amendment was adopted.

The bill was passed to third reading.

House Bill 719 on Third Reading

Senator Nelson moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 719 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	

Absent

Head	Spears
Hill	Weinert
Redditt	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives.
Austin, Texas, April 6, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 135, A bill to be entitled "An Act further regulating all life, health and accident assessment insurance companies or associations or burial societies, repealing conflicting laws, authorizing the Board of Insurance Commissioners to limit the use of names, and to pass upon the worthiness of officers; requiring bonds of all employees having access to moneys; requiring deposits and limiting advertisements thereof; providing for keeping rosters and records of clubs, classes or groups, and prohibiting transfer of members, classes or groups to other associations or to other classes or groups without the approval of the Board; requiring the keeping of adequate records satisfactory to the Board; prescribing the contents and form of applications and certificates, and renewal thereof; and limiting the amount of risk on any one life to three thousand dollars (\$3,000.00); providing for regular and extra assessments, the separation of funds, limitation of expense and use of such funds; requiring full payment of claims, regulating contested claims; authorizing appointment of conservator and rehabilitation of associations; especially interpreting health and accident provisions, giving the Board authority to promulgate reasonable rules and regulations to carry out the purposes of this Act, preserving constitutionality, fixing an effective date; and declaring an emergency" (with amendments).

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

House Bill 565 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 565, A bill to be entitled "An Act to amend Section 3 of Chapter 506 of the General Laws of the

State of Texas passed at the Regular Session of the Forty-fifth Legislature providing for parties and procedure in tax suits; and providing for persons owning property or an interest therein whose names are unknown to be made parties in such suits under designation of 'Unknown Owner or Owners' of such property; providing for heirs of deceased persons whose names are unknown to be made parties to such suits under designation of 'Unknown Heirs' of such deceased person; providing for citation and service upon defendants in such suits whose residence is known and upon absent and non-resident defendants; and providing for notice to be given by publication or posting and prescribing the form and manner of giving such notice, in cases where defendants in such suits are non-residents of the State, and where the names of owners are unknown to the attorney filing the suit, and where defendants are the heirs of deceased person and their names are unknown; and providing that citation or notice on behalf of any taxing unit shall require all parties to the suit to plead and answer all pleadings then on file or thereafter filed by any party to the suit, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 565 on Third Reading

Senator Nelson moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 565 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 534 on Second Reading

The President Pro Tempore laid H. B. No. 534 before the Senate on its second reading and passage to third reading.

The bill was read second time.

Senator Lemens offered the following amendment to the bill:

Amend the bill by striking out all before and all after the enacting clause and inserting the following:

"A bill to be entitled An Act providing an open season for mourning doves in Ellis County, and providing that other laws of this State with reference to taking mourning doves shall apply in Ellis County; fixing a penalty for violation of this Act; repealing all laws in so far as they conflict with this Act, and declaring an emergency.

"Section 1. The open season for taking mourning doves in the County of Ellis shall be during the period September 1 to October 31 of each year, and all other laws of this State pertaining to taking mourning doves shall apply to taking such birds in Ellis County.

"Sec. 2. All laws or parts of laws insofar as they conflict with any portion of this Act be, and the same are hereby, repealed.

"Sec. 3. Any person who takes mourning doves in Ellis County at any time other than during the open season herein provided, or who takes same in violation of any of the laws of this State, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not less than twenty-five dollars (\$25.00), and not more than fifty dollars (\$50.00), and each bird taken in violation of any provision of this Act, shall constitute a separate offense.

"Sec. 4. The fact that mourning doves leave Ellis County at an early

date and the hunters of that county are not afforded the same opportunity of taking mourning doves as those in adjoining counties, creates an emergency and an imperative public necessity that the constitutional rule which requires that bills be read on three several days in each house be suspended, and the same is hereby suspended, and it is so enacted."

The amendment was adopted.

The bill was passed to third reading.

House Bill 534 on Third Reading

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 534 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Burns	Martin
Collie	Metcalf
Cotten	Moffett
Graves	Moore
Hardin	Nelson
Isbell	Pace

Roberts	Stone
Shivers	of Washington
Small	Sulak
Stone	Van Zandt
of Galveston	

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield

Senate Bill 400 on Final Passage

Senator Stone of Washington moved to reconsider the vote by which S. B. No. 400 was passed on yesterday.

The motion prevailed.

The President Pro Tempore laid the bill before the Senate on its final passage.

On motion of Senator Stone of Washington, and by unanimous consent, the caption was amended to conform to the changes made in the body of the bill.

The bill as amended was passed.

House Bill 666 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 666, A bill to be entitled "An Act to declare it unlawful to take, hunt, trap, ensnare, kill, or attempt to kill by any means whatsoever any pheasants, blue quail or bob white in Comanche County for a period of four (4) years from and after the passage of this Act; providing for the protection of crops and gardens being destroyed by pheasants, blue quail or bob whites; providing a penalty therefor, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 666 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 666 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Burns
Beck	Collie
Brownlee	Cotten

Graves	Pace
Hardin	Roberts
Isbell	Shivers
Kelley	Small
Lanning	Stone
Lemens	of Galveston
Martin	Stone
Metcalf	of Washington
Moffett	Sulak
Moore	Van Zandt
Nelson	

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 552 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 552, A bill to be entitled "An Act conveying the title of the State of Texas to Lot No. 8 in Block No. 38 of the original townsite of Rosenberg, Fort Bend County, Texas, according to the plat of said town, appearing of record in Volume P, pages 146 and 147 of the Deed Records of Fort Bend County, Texas, acquired by the State under tax sale to Mrs. Thelma Moers Forster, to her separate use and benefit, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 552 on Third Reading

Senator Stone of Galveston moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 552 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Hardin
Beck	Isbell
Brownlee	Kelley
Burns	Lanning
Collie	Lemens
Cotten	Martin
Graves	Metcalf

Moffett	Stone
Moore	of Galveston
Nelson	Stone
Pace	of Washington
Roberts	Sulak
Shivers	Van Zandt
Small	

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage:

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield

House Bill 670 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 670, A bill to be entitled "An Act amending Article 2691a, Revised Civil Statutes of 1925; to provide for a rural school supervisor in counties having a population of forty-six thousand, one hundred (46,100) to forty-six thousand, two hundred (46,200); repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 670 on Third Reading

Senator Isbell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 670 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield

House Bill 380 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 380, A bill to be entitled "An Act applying to counties which have a population of five thousand, five hundred and eighty-six (5,586)

in the Federal Census of 1930 and a scholastic population of one thousand, six hundred and ninety-four (1,694) in the scholastic year 1938-1939, and providing exemptions relative to tax rates, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 380 on Third Reading

Senator Nelson moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 380 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Roberts
Graves	Shivers
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield
Small	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Redditt
Graves	Shivers
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	VanZandt

Absent—Excused

Head	Spears
Hill	Weinert
Roberts	Winfield
Small	

House Bill 170 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 170, A bill to be entitled "An Act providing for a more adequate and equitable salary for County Superintendents of Public Instruction in all those counties of Texas coming within the brackets and population figures herein—specifically, in all those counties having less than 50,000, and not more than 50,100 according to the Federal Census of 1930; modifying all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Senator Roberts offered the following amendment to the bill:

Amend H. B. No. 170 by striking out the last sentence in Section 2 and inserting in lieu thereof the following: "The salary of this office shall be paid in accordance with all existing laws governing such office."

The amendment was adopted.

The bill was passed to third reading.

House Bill 170 on Third Reading

Senator Roberts moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 170 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Roberts
Graves	Shivers
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield
Small	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 142 on Third Reading

Senator Pace moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 142 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Roberts
Graves	Shivers
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield
Small	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—20

Beck	Metcalf
Brownlee	Moffett
Burns	Moore
Cotten	Pace
Graves	Roberts
Hardin	Shivers
Isbell	Stone
Kelley	of Galveston
Lanning	Sulak
Lemens	Van Zandt
Martin	

Nays—3

Aikin	Stone
Collie	of Galveston

Present—Not Voting

Nelson

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield
Small	

House Bill 566 on Third Reading

Senator Burns moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 566 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Roberts
Graves	Shivers
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield
Small	

The President Pro Tempore then laid before the Senate on its third reading and final passage:

H. B. No. 566, "An Act authorizing persons residing in county line school districts and who are otherwise qualified voters to vote for county school trustees of the county having management and control of such county line school district, even though such voters reside in that portion of the county line district lying outside of the county having management and control of the county line district; repealing all laws and parts of laws in conflict herewith to the extent of such conflict, and declaring an emergency."

The bill was read third time and was passed.

House Bill 585 on Second Reading

On motion of Senator Collie, and by unanimous consent, Senate rules 31a and 48 were suspended, and the regular order of business was suspended, to permit consideration of H. B. No. 585 at this time.

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 585, A bill to be entitled "An Act to reorganize the 104th Judicial District of the State of Texas; and to prescribe the time, and fix the terms of holding the courts in the several counties thereof; and to conform all writs and process from such courts to such changes, and to make all process issued or served before this Act takes effect, including recognizances and bonds, returnable to the terms of court in the several counties of said district as herein fixed, and to validate old process and to validate the summoning of grand and petit jurors and juries; repealing all laws and parts of laws in conflict herewith and fixing the time when this Act shall become effective, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 585 on Third Reading

Senator Collie moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 585 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Roberts
Graves	Shivers
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield
Small	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Roberts
Graves	Shivers
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield
Small	

Reports of Standing Committees

Senator Aikin, by unanimous consent, submitted at this time the following report of the Committee on Education:

Austin, Texas,
April 6, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education to whom was referred

H. B. 240, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a City or Town which according to the latest Federal Census had a population of not fewer than six thousand seven hundred fifty (6,750) and not more than six thousand eight hundred fifty (6,850) inhabitants, whether organized under General or Special Law; repealing all laws in conflict herewith, both General and Special, and declaring an emergency,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

AIKIN, Chairman.

Senator Nelson, by unanimous consent, submitted at this time the following report of the Committee on Judicial Districts:

Austin, Texas,
April 6, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 585, by Bradbury, A bill to be entitled "An Act to reorganize the One Hundred and Fourth Judicial District of the State of Texas; and to prescribe the time, and fix the terms of holding the Courts in the several Counties thereof; and to conform all writs and process from such Courts to such changes, and to make all process issued or served before this Act takes effect, including recognizances and bonds, returnable to the terms of Court in the several Counties of said District as herein fixed, and to validate old process; and to validate the summoning of Grand and Petit Jurors and Juries; repealing all laws and parts of laws in conflict herewith; and fixing the time when this Act shall become effective; and declaring an emergency,"

Have had the same under consideration and I am instructed to report back to the Senate with the recommendation that it do pass and be not printed.

NELSON, Chairman.

Senator Weinert, by unanimous consent, submitted at this time the following report of the Committee on State Affairs:

Austin, Texas,
April 3, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 421, by Graves, A bill to be entitled "An Act to amend Article 1323 of R. C. S. of 1925, as amended by H. B. No. 626, Chapter 235, Acts of the Regular Session of the Fortieth Legislature, as amended by S. B. No. 129, Acts of the Regular Session of the Forty-sixth Legislature, so as to provide for the length of terms which directors may be elected to and serve for corporations formed under Subdivision 7 of Chapter 1, Title 32, R. C. S. of 1925, repealing all laws in conflict herewith and declaring an emergency,"

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Shivers, by unanimous consent, submitted at this time the following report of the Committee on Criminal Jurisprudence:

Austin, Texas,
April 6, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your committee on Criminal Jurisprudence, to whom was referred

S. B. No. 401, by Shivers, A bill to be entitled "An Act amending Article 625 of the Code of Criminal Procedure of the Revised Statutes of 1925,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SPEARS, Chairman.

House Bill 484 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 484, A bill to be entitled "An Act to amend Article 2687, Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-fifth Legislature, 1937, Regular Session, page 644, Chapter 315, Section 1, as amended by Acts of the Forty-fifth Legislature, 1937, Regular Session, page 204, Chapter 108, Section 1, as amended by Acts of the Forty-fifth Legislature, 1937, Regular Session, page 795, Chapter 389, Section 1, by adding a new section to be known as Article 2687e, prescribing the time of meeting of the County Board of School Trustees in counties containing a population of not less than thirty-seven thousand, five hundred (37,500) and not more than thirty-eight thousand, eight hundred (38,800) population, according to the last preceding Federal Census and each succeeding Federal Census; providing for their compensation; providing the fund from which same shall be paid; providing this Act shall be cumulative of all existing laws on this subject but this Act shall apply where in conflict therewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 484 on Third Reading

Senator Hardin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 484 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Roberts
Graves	Shivers
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield
Small	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Roberts
Graves	Shivers
Hardin	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt

Absent—Excused

Head	Spears
Hill	Weinert
Redditt	Winfield
Small	

House Concurrent Resolution 44

Senator Graves called H. C. R. No. 44 from the table for further consideration by the Senate at this time.

The President Pro Tempore laid the resolution before the Senate.

Senator Graves offered the following (committee) amendments to the resolution:

(1)

Amend H. C. R. No. 44 by Stinson as follows:

(1) Add after the word, "Whereas," at the beginning of each paragraph wherever it occurs in said resolution, the following:

"It is alleged that"

(2) Add after the words, "by Gus Darst, an" in line four of the first paragraph, the following:

"alleged"

(3) Strike out after the words, "Terrell State Hospital," in line five of the first paragraph, the following:

“, and therefore an employee of the State of Texas”

(4) Add after the words, "(U. S. 80), and" in line three of the second paragraph, the following:

"that"

(5) Strike out entirely the fourth paragraph of said resolution, which begins as follows:

"Whereas, If the State of Texas is liable" etc.

(6) Add after the word, "damages," in line four, page two, paragraph one, the following:

“, if any,”

(7) Add after the words, "Prewitt, on the said," in line six, paragraph one, page two, the following:

"alleged"

(8) Add after the words, "Texas for damages," in line three, paragraph two, page two, the following:

“, if any,”

(9) Add after the words, "Welch, on the said," in line five, paragraph two, page two, the following:

"alleged"

(10) Add after the word, "damages," in line four, paragraph three, page two, the following:

“, if any,”

(11) Add after the words, "on ac-

count of the," in line five, paragraph one, page two, the following:

"alleged"

(12) Add after the words, "on account of the," in line four, paragraph two, page two, the following:

"alleged"

(13) Add after the words, "when he was," in line five, paragraph three, page two, the following:

"allegedly"

(14) Add after the words, "injured on the said," in line five, paragraph three, page two, the following:

"alleged"

(15) Add after the word, "damages," in line two, paragraph four, page two, the following:

“, if any,”

(16) Add after the words, "Welch on the said," in line three, paragraph four, page two, the following:

"alleged"

(2)

Amend H. C. R. No. 44 by Stinson as follows:

Add a period after the words, "State of Texas," in line four, page three, and strike out everything thereafter to the end of said resolution.

The committee amendments were adopted.

The resolution as amended was adopted.

Adjournment

On motion of Senator Pace, the Senate, at 4:35 o'clock p. m., adjourned until 10:00 o'clock a. m. next Monday, April 10, 1939.

APPENDIX**Reports of Committee on Enrolled Bills**

Austin, Texas,
March 30, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 263 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

**Reports of Committee on
Engrossed Bills**

Austin, Texas,
April 5, 1939.

Hon. Coke R. Stevenson, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 189
and S. B. 419 carefully examined,
compared and read, and find same cor-
rectly engrossed.

LANNING, Chairman.

Austin, Texas,
April 5, 1939.

Hon. Coke R. Stevenson, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had Senate Bills
Nos. 235, 298, 276, 370, 400, 51, 112,
265, 190, 394, 49, 373, 302, 410, 299,
402, 55, 187, 147, 422, 393, 283, 415,
191, 329, 48, 326, 114, 115, 261, 52,
287, 220, 367, 317, 408, 334, 318, 412,
355, 50, 385, 328, 340, 272, 247, 267,
336, 236, 420, 121 and 221 carefully
examined, compared and read, and
find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,
April 5, 1939.

Hon. Coke R. Stevenson, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 413
carefully examined, compared and
read, and find same correctly en-
grossed.

LANNING, Chairman.

FORTY-EIGHTH DAY

(Monday, April 10, 1939)

The Senate met at 10:00 o'clock
a. m., pursuant to adjournment, and
was called to order by President
Stevenson.

The roll was called, and the fol-
lowing Senators were present:

Aikin	Hill
Beck	Isbell
Brownlee	Kelley
Burns	Lanning
Collie	Lemens
Cotten	Martin
Graves	Metcalf
Hardin	Moffett
Head	Moore

Nelson
Pace
Redditt
Roberts
Shivers
Small
Spears

Stone
of Galveston
Stone
of Washington
Sulak
Van Zandt
Weinert
Winfield

A quorum was announced present.

The invocation was offered by the
Chaplain.

On motion of Senator Aikin, and
by unanimous consent, the reading
of the Journal of the proceedings
of Thursday, April 6, 1939, was dis-
pensd with and the Journal was
approved.

Senate Concurrent Resolution 33

Senator Stone of Washington of-
fered the following resolution:

Whereas, The State Highway De-
partment of Texas has a large quan-
tity of discarded guard wire in Wash-
ington County; and

Whereas, The Brenham Independent
School District of Washington Coun-
ty anticipates a large number of
people attending athletic events to be
held in the near future; and

Whereas, It will be necessary and
important to said School District to
fence the grounds where said athletic
events will be held; and

Whereas, It would be a great ac-
commodation to said School District
if the State Highway Department
were permitted to loan said district
the discarded wire hereinabove men-
tioned for the purpose of fencing the
grounds; now, therefore, be it

Resolved by the Senate, the House
of Representatives concurring, That
the State Highway Department of
Texas be authorized to loan to the
School Board of Brenham Independ-
ent School District sufficient quan-
tities of the discarded wire herein-
above mentioned for the purposes as
hereinabove set out, said School Board
to return such wire upon request of
the State Highway Department, and
it is so resolved.

The resolution was read; and on
motion of Senator Stone of Wash-
ington and by unanimous consent, it
was considered at this time and was
adopted.

Senate Bill 426 on First Reading

Senator Spears moved that the rule
relative to the introduction of bills